

REMARKS/ARGUMENTS

The Office Action dated May 17, 2007 and the references cited therein have been carefully considered. In response to the Office Action, Applicant requests consideration of the remarks set forth below.

In the Office Action, Claims 1-11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over German Patent No. DE 4121766 to Mitsam in view of U.S. Patent No. 5,421,951 to Troutner et al. Specifically, the Examiner states that the Mitsam patent discloses an embossing station as claimed, but does not disclose a transport device. The Examiner cites the Troutner patent as disclosing a transport device as claimed. More particularly, the Examiner states that the Troutner patent discloses a platen press having two sets of fixing elements driven by a conveyor system. The Examiner concludes that it would have been obvious to combine the transfer device as taught by Troutner with the embossing station as taught by Mitsam.

Applicant respectfully traverses the rejection of the claims based on prior art. Specifically, Applicant respectfully submits that a combination of the Mitsam and Troutner patents is not obvious and, furthermore, such combination does not result in the invention set forth in independent Claim 1.

The primary Mitsam patent is discussed in the background section of the specification of the present application (see page 1, lines 13 to 28 and page 2, line 29 to page 3, line 1). In this patent, an embossing apparatus for embossing dimensionally stable objects with a decoration layer is disclosed. The apparatus transports a web of material (14) and an embossing film (12) coplanar and together through an embossing section. The embossing section includes a driven endless support body belt (34) and support rollers (26), between which the web of material (14) and the embossing film (12) are processed. A moderate embossing pressure is applied by the belt (34) onto one side of the web of material (14) which is adjacent to the belt (34). However, as correctly noted by the Examiner, the Mitsam patent does not disclose a fixing device having fixing elements which form at least one endless member by which at least one fixing section parallel to the embossing section for the substrate body which is to be embossed is defined.

The Troutner patent discloses a platen press or continuous press for compressing glued press charges to form laminated veneer lumber (LVL) (see col. 3, lines 19 to 29). Therefore, the Troutner patent describes the making of a dimensionally stable object or web of material, where very high pressure is applied to both sides of a glued press charge.

The Troutner patent does not disclose an embossing apparatus for embossing dimensionally stable objects with a decoration layer by using an embossing film. Indeed, a platen press, as disclosed in the Troutner patent, clearly cannot be used with embossing films, as the high pressure values would destroy the embossing film and the decorative elements within the film.

Moreover, given the slow speed that would be necessary for the platen press described in the Troutner patent to accomplish its high pressure compressing function, such press would not be able to operate at the speeds necessary for embossing. In this regard, it is significant that there is no mention in either reference of driving a transport device at the same speed as that of an embossing apparatus, as set forth in Claim 1. Furthermore, there is nothing in the combination of both references that would suggest such feature to one skilled in the art.

It is further respectfully submitted that a person of ordinary skill in the art within the area of decorating objects using embossing films would not have taken into account the Troutner platen press, as embossing and pressing are very different processes with regard to intention, process parameters and final product. In particular, Claim 1 defines a transport device for transporting an object to be embossed, whereas the Troutner patent discloses a platen press which compresses components of a product to be produced. Thus, one of ordinary skill in the art would not have looked to the Troutner patent for a teaching of a transport device.

Furthermore, even if one skilled in the art had looked to the Troutner patent, he or she would certainly not combine the high-pressure platen press disclosed therein with the embossing apparatus of the Mitsam patent. Specifically, one skilled in the art would not be motivated to utilize a high-pressure platen press, as disclosed in the Troutner patent, to transport an object along an embossing section, as defined in Claim 1. Therefore, a combination of the Mitsam and Troutner patents would not have been obvious in view of the diverging, non-analogous technical fields.

In any event, a combination of the teaching of the Mitsam and Troutner patents would not work. In particular, the Troutner patent discloses a platen press which compresses components of a product to be produced, whereas Claim 1 calls for a transport device for transporting an object to be embossed. In this regard, the Troutner press cannot transport an object to be embossed. More specifically, an embossing cannot be physically performed on an object being produced in the Troutner press since, for example, the outer dimensions of the object continuously change during the pressing operation. Therefore, a combination of the teaching of the Mitsam and Troutner patents does not lead to the present invention as defined in Claim 1.

If, in theory, someone of ordinary skill in the art would indeed have combined the teachings of the Mitsam patent with the teachings of the Troutner patent to improve the embossing process disclosed in the Mitsam patent, it is clear that additional roller units would need to be added to the embossing apparatus according to the Mitsam patent. Such rollers are shown in the Troutner patent as reference numerals 88 and 90. Thus, one additional roller unit would need to be added between the support rollers 26 and a further roller unit would need to be added between the rollers 50 inside the endless support body belt 34 described in the Mitsam patent. Such would be necessary to improve constancy of contact pressure between the web of material 14 and the belt 34.

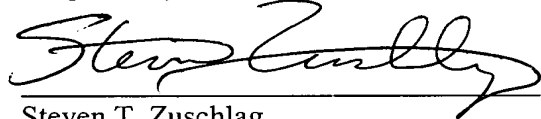
However, because of the mass of the metal press platens 32, 34 disclosed in the Troutner patent, someone of ordinary skill in the art would not have changed the belt 34 or the support rollers 26 disclosed in the Mitsam patent with a chain 36, 38 carrying metal press platens 32, 24 according to the Troutner patent, as an application of high pressure on both sides of the object intended to be embossed is not desired. To exchange only the support rollers 26, according to the Mitsam patent, with a chain 38 carrying metal press platens 34, as disclosed in the Troutner patent, would not make any sense, as the belt 34, according to the Mitsam patent, cannot and should not apply any counter pressure. Furthermore, a chain 36, 38 comprising press platens 32, 34, according to the Troutner patent, displacing the support rollers 26, of the Mitsam patent, would constitute a support for the web of material 14, according to the Mitsam patent, does not constitute fixing elements for the object to be embossed, as defined in Claim 1 of the present application.

Accordingly, for all of the foregoing reasons, it is respectfully submitted that Claim 1, and the claims that depend therefrom, patentably distinguish over the prior art.

It is further submitted that the dependent Claims 2-14 set forth additional features not found in the prior art. For example, neither of the cited prior art references, taken alone or combined, discloses a transport device, an embossing belt has a profiling on its embossing side facing a transport device, which is adapted to the substrate body to be embossed, as defined in dependent Claim 8. Similarly, neither of the cited prior art references, taken alone or combined, discloses a transport device having an embossing station which is pivotable about a pivot axis oriented in parallel relationship with an advance direction of the transport device, as defined in dependent Claim 10. Also, neither of the cited prior art references, taken alone or combined, discloses a transport device which holds a substrate body in relation to an embossing apparatus to emboss a narrow side or a peripheral edge of the substrate body, as defined in new dependent Claims 12 and 13. Finally, neither of the cited prior art references, taken alone or combined, discloses a transport device adapted to rotate a substrate body, as defined in new dependent Claim 14.

In view of the foregoing amendment and remarks, favorable consideration and allowance of the application with Claims 1-14 are respectfully solicited. If the Examiner believes that a telephone interview would assist in moving the application toward allowance, he is respectfully invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,



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